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Attorneys for Defendant
SYLVIA SIMONSEN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SYLVIA SIMONSEN,

Defendant.

Case No. 3:19-mj-007 DMC

**STIPULATION AND [PROPOSED] ORDER
TO CONTINUE PRELIMINARY HEARING
AND EXCLUSION OF TIME**

Date: November 6, 2019

Time: 2:00 p.m.

Judge: Hon. Allison Claire

Plaintiff, United States of America, by and through Assistant United States Attorney James Conolly and Defendant Sylvia Simonsen, through her attorney Noa E. Oren, Assistant Federal Defender, hereby stipulate to continue the Preliminary Hearing set for November 6, 2019 to December 11, 2019, at 2:00 p.m.

The parties agree that the time beginning November 6, 2019 extending through December 11, 2019, should be excluded from the calculation of time under the Speedy Trial Act. Further, the Defendant consents to an extension of the time for a Preliminary Hearing until December 11, 2019. Fed.R.Crim.P. 5.1(d). The parties submit that the ends of justice are served by the Court excluding such time, so that they may have reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). In

1 particular, the time is required so that the parties can conduct investigation and review discovery.
2 Ms. Simonsen consents to this continuance.

3 The parties stipulate that the interests of justice outweigh the interest of the public and the
4 defendant in a speedy trial, 18 U.S.C. § 3161(b) and (h)(7)(A), and further that this good cause
5 outweighs the public's interest in the prompt disposition of criminal cases. Fed.R.Crim.P. 5.1(d).

6 IT IS SO STIPULATED.

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8 Dated: October 30, 2019

HEATHER E. WILLIAMS
Federal Defender

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10 /s/ Noa E. Oren
11 NOA E. OREN
12 Assistant Federal Defender
Attorney for SYLVIA SIMONSEN

13 Dated: October 30, 2019

MCGREGOR W. SCOTT
United States Attorney

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15 /s/ James Conolly
16 JAMES CONOLLY
17 Assistant United States Attorney
18 Attorney for Plaintiff
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ORDER

The Court has read and considered the Stipulation to Continue the Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4. The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The preliminary hearing is continued to December 11, 2019, at 2:00 p.m.
2. The time between November 6, 2019, and December 11, 2019, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4.
3. Defendant shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

Dated: October 31, 2019


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE